

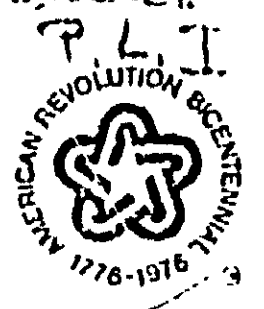


UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

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M. B. Lohel

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OFFICE OF GENERAL COUNSEL

IN REPLY REFER TO: B-192721

JAN 22 1979

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

Mr. Rola E. Childers
2007 Bay Street
Morehead City, North Carolina 28557

Dear Mr. Childers:

This is in further reference to your letter of August 8, 1978, requesting information regarding the time limit on residence transaction

Reimbursement to Federal employees of certain expenses incurred in connection with residence transactions incident to a transfer of duty station is governed by section 5724(a)(4) of title 5, United States Code.

By Executive Order No. 11609, July 22, 1971, the presidential authority to issue regulations under 5 U.S.C. 5724(a) was delegated to the General Services Administration (GSA). Pursuant to this authority, the GSA promulgated paragraph 2-6.1e of the Federal Travel Regulations (FTR) (FPMR 101-7, May 1973) which governs time limitations for reimbursement of expenses incurred in connection with real estate transactions. That section provides, in pertinent part, that the Government may reimburse employees for expenses incurred in connection with the sale of a residence at the old official station and the purchase of a residence at the new official station, provided the settlement date for the sale and purchase are not later than 1 year after the date the employee reports for duty at the new official station. The agency head is also authorized to extend this time limit for an additional period not to exceed 1 year. Thus, there is no authority to reimburse employees for expenses incurred after the 2-year time limit, regardless of when the employee's request for an extension was received by the agency. 57 Comp. Gen. 28, 30 (1977).

This regulation was promulgated pursuant to the statutory authority of 5 U.S.C. 5724(a) (1976) and has the force and effect of law. It may not be waived or modified in any individual case, regardless of extenuating circumstances. B-191203, May 11, 1978, and B-189043, July 1, 1977.

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Letter
retracted

B-192721

Copies of the cases and regulation cited are enclosed. If, after studying the above information and enclosures, you believe you are entitled to reimbursement for real estate expenses incurred, you may submit a claim through your agency to our Claims Division.

Sincerely yours,

Robert L. Higgins

Robert L. Higgins
Assistant General Counsel

Enclosures